

SENATE RESOLUTION 176

By Southerland

A RESOLUTION relative to solid waste management at the state level.

WHEREAS, recognizing the need to manage solid waste in an environmentally, economically, and politically acceptable manner, states are enacting comprehensive solid waste management plans; and

WHEREAS, in the long run, source reduction and recycling offer the most economically and environmentally sound methods for dealing with a significant percentage of the solid waste stream; and

WHEREAS, this Body believes that properly designed and operated landfills will continue to be a component of any comprehensive solid waste management plan; and

WHEREAS, the volume of waste to be landfilled should be reduced and minimized through environmentally sound methods such as source separation to retrieve recyclable or reusable materials; and

WHEREAS, yard waste and some biodegradable materials should be composted rather than landfilled, and source separation should occur in all waste streams; and

WHEREAS, solid waste incinerators without energy recovery and landfilling should be limited, whenever practical, to non-toxic and non-hazardous materials that cannot be treated by any other economically and environmentally sound method; and

WHEREAS, with respect to waste-to-energy or resource recovery facilities, their capacity should be designed for the solid waste volume remaining after source separation, toxic materials removal, recycling, and pollution prevention measures have been implemented; and

WHEREAS, the states are in need of the full cooperation and assistance of the federal government to accomplish their diverse solid waste management objectives; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, that recognizing the importance of a state-federal partnership and in support of the objectives of the Resource Conservation and Recovery Act (RCRA), this Body hereby urges the United States Congress to stimulate markets for recycled materials, recycling, and source reduction and the development of comprehensive solid waste management plans.

BE IT FURTHER RESOLVED, that this Body urges the federal government to significantly increase technical assistance to state and local governments in developing comprehensive source reduction, source separation, reuse, and recycling programs while fully recognizing the primacy of state and local governments in solid waste management. The development of solid waste management plans is a state and local government responsibility and the federal government should restrict its role to reviewing these plans by setting performance standards.

BE IT FURTHER RESOLVED, that this Body urges that regulation, tariffs, and transportation policies be revised to remove artificial price supports in order to create regulatory parity between recyclable and reusable material and virgin material.

BE IT FURTHER RESOLVED, that this Body urges the full implementation of the provisions of RCRA requiring the federal government to promulgate regulations for federal procurement of recycled products. The federal government should give priority consideration to the purchase of reusable and recycled products and allow a temporary price differential, where applicable, for goods made from recycled materials.

BE IT FURTHER RESOLVED, that this Body urges Congress to provide for a limited authorization and/or waiver of the Commerce Clause to provide states with the greatest authority possible to manage solid waste. Such a reauthorization and/or waiver should allow states to restrict imported waste and to allow restrictions on the exportation of waste, including the imposition of differential fees.

BE IT FURTHER RESOLVED, that it is the sense of this Body that funds received from any permits authorized by federal law and issued by states for purposes of management of solid waste should be expended as determined by state legislatures.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to the Speaker and the Clerk of the U.S. House of Representatives; the President and the Secretary of the U.S. Senate; each member of Tennessee's Congressional delegation; and the Honorable Barack Obama, President of the United States.